

For Subscription and Advertising Department Call Phone No. 56.

RANDOM REFERENCES

L. S. Jensen and family will depart for California, Thursday, to pass the winter.

All kinds of coal. Phone 1603. M. L. Jones Coal & Ice Co.

On Missionary Work.—Walter H. Rolapp, a son of Judge and Mrs. H. Rolapp, departed yesterday for the Southern States mission of the Church of Jesus Christ of Latter-day Saints, where he is to serve as a missionary for the next two years.

MITCHELL BROS. FOR MONUMENTS.—OPP. CITY CEMETERY.

Taxes Paid.—The total taxes paid to County Treasurer Joseph E. Storey yesterday was \$122,000, making the total payment about \$550,000. Of the remaining \$300,000, plus, probably half of the amount was remitted by mail. The treasurer and his clerks worked late last night checking up.

Dr. Feisbaw, Dentist, Lewis Block.

Co-operation.—The Farmers' Co-operative Creamery Co., capital \$5,000, (1,000 shares at \$5 each), has filed articles of incorporation. The purpose is to conduct a general dairy business.

Officers.—P. M. Folkman, president; Joseph Skeen, vice president; Gilbert Thatcher, secretary-treasurer; F. J. Palmer, George Weatherstone, Joseph M. Folkman, A. M. Christensen.

Car Hits Cow.—While running 40 miles an hour at 6:30 o'clock last evening, a car of the O. L. & I. hit a cow on the track about two miles north of Brigham City and was derailed. A relief car and the wrecker were set from Ogden and the passengers arrived at 11:30. No one was injured. Another car struck three cows, one after the other, but stayed on the track.

The Standard will not be responsible for mistakes occurring in copy brought in on day of publication. All copy should be sent in at least 24 hours ahead of time so that time may be had to give proper set up and to send out proofs.

U. S. Musicians.—The local recruiting office of the U. S. army wants musicians. The pay at the start is \$24 a month. Six men enlisted in the army yesterday as follows: Frank L. Mills, Vern J. Sorenson, Ogden; Roy Barney, Monroe, Utah; Leo Green, Stevens Point, Wis.; Walter J. Geiger, Streator, Ill.; Asberry Wilson, Cordova, Alabama.

Mydren Plumbing.—J. H. Williams moved to 2339 Moffitt Ave. Phone 1186.

Charged With Assault.—Harry Jones was arrested last night, charged with being implicated with his brother, in an assault upon Mr. and Mrs. V. Lohello, proprietors of a grocery store at Washington avenue and Twentieth street. The assault is alleged to have taken place about 5 p. m., following a wordy altercation between the Jones boys and the Lohellos over a bill owed by the former to the store.

B & G Butter spells excellence. —\$20.00 to loan on improved dwelling property in Ogden. R. P. Hunter, 411 24th St. 11-25-1mo.

Diamonds less than others pay. Uncle Sam.

The Ladies' Aid society of the First Presbyterian church will give a BAZAAR of PRACTICAL and FINE ART needlework, December 5 and 6 in the church.

A Turkey Supper will be served in the First Presbyterian church Tuesday, December 5, from 5 to 8. 50 cents per plate.

Dr. Budlong has removed his dental office to 2478 Washington Ave. Kay building.

Born.—A 10-pound baby boy was born to the wife of James Nerven, 541 Twentieth street, Friday, December 1.

Departure.—Mr. and Mrs. Lewellyn Rogers departed today for Hominy, Oklahoma, over the Denver & Rio Grande railroad.

New Superintendent.—J. H. Dodds, newly appointed superintendent of the Ogden Union Railway and Depot company and terminal superintendent of the Union Pacific, Oregon Short Line and Southern Pacific railroads at Ogden, arrived in the city this afternoon from Bakersfield, Cal., and assumed his new duties. He was formerly assistant superintendent of the San Joaquin division of the Southern Pacific, with headquarters at Bakersfield.

Invited to Alhambra.—The management of the Alhambra theatre has invited the high school students and faculty to the theatre Wednesday evening to celebrate the winning of the state and intermountain high school championships by the O. H. S. football team.

NOT CANDIDATE FOR THE BOARD

Standard:—Inasmuch as your paper mentioned by name as a candidate for member of the Board of Education, will ask that you kindly correct this mistake, for I positively would not accept the nomination. Very sincerely, (Signed)

ROBT. I. BURTON.

Prof. J. J. McClellan will give an organ recital at the Alhambra next Sunday evening.

Today ALHAMBRA LAST TIME
PAULINE FREDERICKS In "NANNETTE OF THE WILDS"
10-PIECE ORCHESTRA
BURTON HOLMES and the PARAMOUNT COMEDY TOMORROW, HIGH SCHOOL NIGHT,
To Celebrate the Football Victory.
MABEL TRUNNELLE in "THE MARTYRDOM OF PHILLIP STRONG"

FIGHT OVER CITY WARRANTS STARTED IN THE COURTS BY COMMERCIAL NATIONAL

Through its attorney, H. H. Henderson, the Commercial National bank today filed a petition in the district court for a writ of mandate against Carl Allison, as treasurer of Ogden City, to pay off \$32,000 worth of warrants owned by the bank.

The bank alleges that the treasurer has, or will in a few days, sufficient money to pay off these warrants, and that the treasurer has refused to pay the warrants as they were presented and registered, and that it is the expressed intention of the city treasurer to pay warrants issued by Ogden City since the plaintiffs' warrants were issued.

Alpheus G. Fell, the former mayor, is the ruling head of the bank, and the warrants in question were acquired during his incumbency as mayor and superintendent of finance.

Bank's Contentions. This law suit will raise the controversy whether the warrants which were issued in 1915, and which were not redeemed in 1915, shall be paid out of the city treasury in the order in which they were issued and registered. There are about \$122,000 worth of by any city, town or village, being owned by different banking institutions of Ogden and about \$70,000 by various individuals.

From the available information it would appear that \$125,000 or more of the revenues of 1915 were used to pay off warrants of 1914. This condition of affairs had been going on for the last twenty years, it is said. The present board of city commissioners has flatly refused to pay the 1915 warrants, and is taking the revenues of 1915 to pay off the running expenses of 1915.

Constitutional Law. Article 14, Section 3, of the Constitution says that no debt in excess of taxes for the current year shall be created by any county or subdivision thereof, or any school district therein, or by any city, town or village.

The bank contends that this debt was not created in excess of the revenues. Section 234 of the compiled laws of Utah relating to cities and treasurers says all warrants shall be paid in the order in which they are presented and the treasurer shall note the date of presentation and date of payment; that any warrant in regular order may be paid by the treasurer provided sufficient sum remains in the treasury to pay all other warrants issued previous to such warrants.

Bank's Challenge. "If this is a valid debt," said the bank's attorney, "the commissioners should pay it. If it is not a valid debt, the commissioners should say so and refuse to make payment in any circumstances. The city commissioners should not act in such a way as to throw doubt upon the legality of one of its warrants, unless they are of the opinion that the warrant or warrants are illegal. Without saying so in this case, their evasion of payment is equivalent to repudiation."

Mr. Henderson said a great many of the warrants are held in trust as investments for widows and orphans and by fraternal lodges, because they pay 6 percent. These investors, he said, relied upon the good faith of the city, knowing it would not issue a warrant that wasn't perfectly good.

The City Position. "The first demand for the payment of the warrants was on Nov. 25. The commissioners said they would take the question under advisement. On November 28 the treasurer, on advice of counsel, said it was not his intention to pay the warrants issued since the plaintiffs' warrants were issued."

Mayor Abbott R. Heywood, who is superintendent of finance, the other two commissioners and City Attorney Edmund E. Hulaniski are standing pat in their refusal to pay the warrants thus inherited from the Fell administration.

Mr. Hulaniski said today: "We would like to pay them. We want to pay them. If Mr. Fell, or his distinguished attorney, will enlighten us how we legally can do so. We will cooperate with them in any legal way in providing for payment. But the supreme court decisions, which apparently cover perfectly the points in question, plainly forbid us to yield to the bank's demand. In Fritsch against the commissioners of Salt Lake county, and Pleasant Valley Coal company against the commissioners of Salt Lake county, 15 Utah, pp. 83 and 97, March 6, 1897, the following decision was handed down, that: 'A debt cannot be incurred in one year and floated over to the next and paid out of its revenue, without a vote. The indebtedness of the year must be paid out of its revenues.'"

"The supreme courts of both Utah and California have decided that the city cannot contract a debt in excess of its revenue and pay it out of the next year's revenue."

Practice Grows Steadily. Mr. Hulaniski said the city long had been ignoring this law to a small extent, making both ends meet as well as as fairly as possible, but that the Fell administration last year exceeded all bounds, the amount growing to \$125,000.

Asked what caused such an extraordinary expenditure, he said it was due to lack of financial judgment, to lack of system and general recklessness. The motto seemed to be, he said, "go on and spend and get what we want." Much of the money was expended on street, he said, and \$36,000 was sunk without any benefit whatever in the

Cobble creek reservoir project. "This amount of waste was proven by former Mayor Glasmann from the auditor's books."

"What became of the reservoir project?" he was asked.

The veteran lawyer laughed, then grew serious as he said sadly: "Oh, it's there yet—the \$36,000 expenditure. That reservoir reminds me of the inspector down in Texas who was sent out to examine and report on a mill. He reported that he found a dam by a mill-site, but no mill by a dam-site. The lawyer enjoyed another laugh."

Mayor Heywood's Comment. "Mayor Heywood is eminently right," said Mr. Hulaniski, "in refusing to pay those warrants. How can we pay them without making ourselves liable? I don't believe as a lawyer that the legislature would validate warrants issued in excess of revenue. The constitution and the supreme court limit our power. If the former commission diverted money from its proper legal channels, we are not going to continue the wrong-doing. Those officials, ex-Mayor Fell and his colleagues, together with their bondsmen, are responsible. The court have so held."

"The people, at a special election," he said, "might ratify the warrants. That seems the only legal way. The city cannot pay them. They cannot squeeze blood out of a turnip. The banks shouldn't do the baby act. They acquired those warrants with their eyes open. They had attorneys whose business it was to know whether the warrants were good or not."

The law suit will now be tried with all speed, it is said, and it may be appealed, whichever way it goes, to the supreme court for immediate review.

Attention, W. O. W.

Weber Camp No. 74, W. O. W. will hold its regular election of officers next Thursday evening, December 7. A full attendance is desired. —Advertisement—

Society

W. C. T. U. MEETING. The Federated W. C. T. U. will meet on Wednesday at 2:30 at the Methodist church. Mrs. W. S. Flewelling and Mrs. J. C. Nye will furnish the program.

The hostesses will be Mesdames H. L. Griffin, S. N. Cole, Jas. Drysdale, S. J. Griffin, Lilliebell Falck and Ida Brown. Visitors are cordially invited.

FOR HOUSE GUESTS. Mr. and Mrs. Charles Gebhart were honor guests at a 6 o'clock dinner last evening given by Mr. and Mrs. John Gebhart on Barlow avenue. Others present were Reverend and Mrs. Geo. F. Lowe, Mr. and Mrs. John Stanfill and Mr. Bair of Salt Lake City.

LEAVE FOR HOME. Mr. and Mrs. Chas. Gebhart of Santa Cruz, California, departed for their home this morning after a pleasant two months' visit with Mr. Gebhart's uncle, John Gebhart and wife, on Barlow avenue.

Kolb and Dill, the world famous comedians in "Three Pals," at the Lyceum tomorrow. An all-comedy program. 5c—Always—5c.

U-BOAT SINKS SHIP

Madrid, Dec. 5, via Paris, 5 p. m.—The Italian steamship Palermo with 26 Americans on board has been torpedoed off the Spanish coast.

One sailor, reported to be an American, was wounded by a shell and died in a hospital at Palafrugell, Spain, where the survivors were landed. Three others were seriously wounded by the torpedo.

New York, Dec. 5.—The Italian steamship Palermo left New York November 15 for Genoa and Spezia and was last reported as passing Gibraltar on November 28. She carried no passengers, but had on board 47 American horse tenders. In addition to horses she carried a general cargo.

Besides 858 mules and 163 horses, the Palermo carried 1452 cases of tinoline, a powerful explosive, and tons of munitions and war supplies. Before the war the Palermo was engaged in passenger service between Naples and Palermo, Italy, and this port.

New York, Dec. 5.—News of what is believed to have been an attack on the Portuguese port of Funchal, Madeira Islands, presumably by a German submarine, was received in a cable message today to the firm of Salinger & Magnus, embroidery importers here. The message said that the office of the firm there had been damaged by shell fire to the extent of \$1,000.

DR. EDWARD I. RICH MAKES A FINAL STATEMENT TO THE CITIZENS OF OGDEN

"To the voters of Ogden City," said Dr. Edward I. Rich today. "I offer my services as a member of the board of education from the Fourth ward, not because I believe I expect any personal benefit therefrom, but because I think I should assume some of the responsibility of our citizenship."

"I have lived in your midst for 23 years. My life and life's work have been constantly before you. I have a large family. MY interests are YOUR interests. I am a large taxpayer, and I am therefore personally interested in the proper expenditure of our money. I do not, however, agree with a member of the present board who, in The Standard of December 2, says: 'The GREAT AIM of the board was to get the schools on a cash basis and everything has been subordinated to that.'"

"I believe in a cash basis, if possible, and proper economy, but the GREAT AIM of any school system in a school board should be the development of superior children, intellectually, physically and morally. To obtain this superior development, we must provide suitable and competent teachers, home-grown, if possible, suitable and sanitary buildings and

proper places of recreation and amusement."

"I believe one-half day in school is best for the primary, first, second and third grade pupils. I believe in PRESCRIBED COURSES of study in our high school, these courses to be prescribed and sanctioned by our best educators. A certificate of graduation from our high school should stand for something worthy of the name, and should admit its holder to any of our universities without question."

"The selection of a superintendent should be one of the early and important duties of the new board."

"I favor a man of high moral and intellectual attainments, a man indorsed by our leading educators as thoroughly competent for the position, a man who will be a help to our city socially, a man who, if possible, can harmonize all the different factions of our city, a man from without our city who has been in no way connected with our recent trouble."

"We want peace and harmony. We do our children, our schools and our city a great injustice and injury by our constant quarrelling."

"Let us have efficiency, with peace and harmony, and forget our differences of the past."

TEACHERS OF THE CITY DR. HARRY B. FORBES HAVE FORMED AN ASSOCIATION

At a meeting of more than 50 public school teachers of Ogden, held last night in the Central Junior high school, an organization was formed to be known as the Ogden Public School Teachers' Association. The following were selected to head the association as officers:

Prof. Archibald, Ogden High school, president; Miss Fitzgerald, Central Junior high school, vice president; Miss O'Neill, Quincy school, secretary; Miss Turner, Madison school, treasurer.

The purpose of the organization is to uphold a high standard of teaching in the city schools, to work in harmony with the city board of education and to look after the vital interests of its members in the pursuit of their vocation. It is anticipated that the membership will be largely increased by the time the next meeting is held.

Kolb and Dill, the world famous comedians in "Three Pals," at the Lyceum tomorrow. An all-comedy program. 5c—Always—5c.

H. H. HENDERSON WANTS NO EVASION OR SOFT-SOAP

While six or eight law clients of Hiram H. Henderson were waiting, each in turn, to have their troubles cured today, a Standard reporter asked the lawyer if he had another bomb in his campaign howitzer. He laughed and replied:

"Yes, an incandescent projectile to light up the field and make the fact as clear as sunshine to every voter that Dr. Rich and Mr. Culley have failed to answer the questions which I put to them, in behalf of the public, in my interview of December 2, so that now all voters have a right to conclude that they don't intend to put themselves on record concerning those vital questions."

"Quibbling, evasions, platitudes and generalities won't satisfy the voters. If Dr. Rich and Mr. Culley should answer those questions in part before the election takes place tomorrow, the query will arise: Why did they evade making the issues clear and distinct so that the voters would know, if they were elected, what the citizens could expect?"

"I again call special attention to their emphatic remarks, in fulsome praise and eulogy of John M. Mills and his peculiar methods, in the Examiner of January 9, of this year, and ask them if they still hold the same opinions that they held then. If they are not of that opinion, what has taken place to change them?"

"If Dr. Rich and Mr. Culley have suddenly become converted to a policy of progress and efficiency in our school system, embodying the several fundamental improvements which the present board has made, they should be reminded that their ideal educator, John M. Mills, was strongly opposed to all of these improvements."

"The time has passed when men can slip into office on a platform of evasion and soft-soap. The people are intelligent and they want straight talk."

Mabel Trunnelle comes to the Alhambra tomorrow in the wonderful production of "The Martyrdom of Phillip Strong."

LLOYD-GEORGE MAY BE HELD IN CABINET

London, Dec. 5, 4:06 p. m.—Mr. Lloyd-George's resignation has not been accepted thus far. It is reported Premier Asquith is making every effort to retain the war secretary in the ministry.

Now at The Ogden

H. B. WARNER

In the gripping Ince-Triangle romance

"A Vagabond Prince"

The colorful tale of a petted nobleman who tires of the pomp and ceremony of his native land and comes to America in search of adventure—and finds it.

—Full of action and well produced—
THE OGDEN THEATRE

From 1:45 to 11

5c and 10c

election, to my mind, is whether or not Superintendent Mills shall be supported. With my present knowledge of the subject I am entirely opposed to his return. This assertion may not be "good politics," but, at least, it has the merit of outspoken frankness. I do not doubt that many of Mr. Mills' ideas are excellent, the night schools for example, but, as everyone knows, he has been for several years the storm center of persistent dissension that has affected the entire city and demoralized the whole school system, and this, in my opinion, at once disqualifies him for further consideration and should, despite his many qualifications, even from his own standpoint, so much for that question."

I am entirely opposed to "button-holing" and "hauling" voters to the polls. It results in an unseemly scramble and has a vicious tendency in an election.

I am opposed to the members of the school board receiving any salary whatsoever. So long as competition is as keen, and the board able to command the high class aspirants that it does—in general the very highest type of citizenship—I regard it as perfectly absurd to add the small salary that is now paid."

One must expect to sacrifice considerable time and study to give intelligent service in such an office. This I should be delighted to do for the honor and satisfaction that comes with unselfish public service if properly secured. Doubtless everyone has felt such a desire at times.

And so, having these views, I shall not engage in personal solicitation of any kind whatever and shall engage no workers or conveyances. Instead, I shall deposit with the matron of the Martha society nursery prior to election, an order directing that, if I be elected, the school board pay to that institution my entire salary as it becomes due. I have always felt the Martha's home to be a noble charity, but I have never until a professional call took me there a few days ago, fully realized how noble and how needed that institution really is."

My first thought was to delay this announcement until near the close of the campaign, but I now, purposely, make it at the beginning in order to give other candidates an opportunity to do the same, or announce their willingness to serve without pay. Personally, I should like to see this become a "fixed understanding" at each school board election.

Thus, I am able to become a candidate from a standpoint satisfactory to me and if elected under these circumstances could consider it a real honor and would labor unselfishly to secure an honest, intelligent, and economical management of the school affairs.—Advertisement. DR. H. B. FORBES.

NOT A BANK CANDIDATE, SAYS J. H. RILEY, OF FIRST WARD

J. H. Riley, candidate for the city board of education from First ward, was asked today if he desired to say anything to the voters regarding his candidacy. Mr. Riley was in jolly good humor at the "height of the battle" and declined to dictate a statement. A sudden thought, however, caused his eyes to flash.

"I'm not a bank candidate," he said. He explained that he was informed that one of his opponents was saying it. "It isn't true," said Mr. Riley. "The bank hasn't the slightest thing to do with it." He said that the Pingree bank, of which he is cashier, is the depository of school funds, on which the bank pays 4 per cent on daily balances and lends the school board money at 6 per cent, "but the bank is taking no hand in tomorrow's election."

"I'm a candidate because I feel a

pride in our schools and ambition for their improvement. I have ideas which I would like to try out for the benefit of the school children, the teachers, and the taxpayers. We need more and better buildings and facilities. Some teachers now have 65 and 70 pupils. That's too many. No teacher can take care of them and do justice to each pupil. One teacher in the Pingree school does class-work in the hall. I would remedy all this by increasing school facilities, putting everything in first-class condition."

"I've lived in the First ward for thirty-seven years, was born and reared there, expect to live there for a long time to come. I've never held public office. I want this one, and I'm willing to give the office all the time and effort it requires. The term is only for a year. As for the bank argument, the question of selecting a depository wouldn't come up during my term."

"How about Mr. Mills and the so-called Millsism?" he was asked.

"Mr. Mills was a good superintendent," he replied, "but I would want a man who had taken no part in this fight, who could establish harmony and team-work, without which we could expect nothing except confusion and poor results."

Deaths and Funerals

LARSON.—Funeral services for Myrtle Larson were held yesterday in the Linquist chapel, with Bishop E. A. Olsen presiding. Edward Saunders sang, "Your Sweet Little Rosebud Has Left You." "O My Father" and "In Answered Yet." A number of friends and relatives of the deceased attended the services and placed flowers upon the bier. Interment was in the Huntsville cemetery, the grave being dedicated by Alfred Nelson.

PETERSON.—The funeral of Peter B. Peterson will be held tomorrow at 1 p. m. in the Kanesville meeting house and interment will be in the Ogden City cemetery. The body may be viewed at the residence in Kanesville this afternoon and evening and tomorrow until the funeral hour. Flowers left at the Lindquist chapel before 9:30 a. m. tomorrow will be delivered at the residence.

BAIN.—Mrs. Isabelle Bain, widow of Daniel Bain, died yesterday evening at the residence of her son, George W. Bain, at the county court house. Death was due to asthma. The deceased was born in Liverpool, England, Nov. 8, 1840, the daughter of George and Annie Boyack Henderson. She was married to Daniel Bain in Scotland and emigrated to Utah with her husband in 1886. They located in Ogden and made this city their permanent residence. Mrs. Bain was a member of the Mormon church and had been an active church worker for many years. She is well known in Ogden and Weber county and has many friends to mourn her demise. Her two sons, George W. Bain of Ogden and Angus M. Bain, of Salt Lake, survive. The body was removed to the Lindquist mortuary and the funeral announcements will be made later.

LUND.—The funeral of Mrs. Bertha E. Lund will be held Wednesday at 1 p. m. in the Plain City meeting house and interment will be in the Plain City cemetery. The body may be viewed at the family residence in Plain City this afternoon and evening and tomorrow until the funeral hour.

BEATTIE.—Sam Beattie, 65 years of age, an employ of the Union Depot & Railway Co., died yesterday afternoon. Funeral services were held today at 2 p. m. in the Kirkendall chapel, Reverend Carver officiating. Interment Ogden City cemetery.

STONE.—Mrs. A. D. Baker received word yesterday from Boise, Idaho, of the death of her six-month-old granddaughter, Irene Stone, daughter of Mr. and Mrs. L. S. Stone, former residents of Ogden. Mrs. J. J. Roach leaves for Boise today to be with her sister, Mrs. Stone, for a few days.

T=O=N=I=G=H=T

and Wednesday

Roberta Wilson and Frank Whitson in

"The Isle of Life"

RED FEATHER FEATURE

